

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 16TH AUGUST 2007 / 25TH SRAVANA 1929

Tr.P(C).No. 182 of 2007()

OP.995/2007 of FAMILY COURT,ERNAKULAM

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PETITIONER

SWAPNA, D/O. M.R.R.NAIR,
RESIDING AT 'USHUS', GRAMAM ROAD,
KODUNTHIRAPULLY, PALAKKAD-678 004.

BY ADV. SRI.V.CHITAMBARESH
SRI.T.C.SURESH MENON
SRI.JIBU P THOMAS
SRI.P.S.APPU

RESPONDENTS:

ARUN KUMAR, S/O. C.A.KUMARAN,
RESIDING AT 'RESHMI', 29/449, ST.JAMES ROAD,
VYTILA, ERNAKULAM, KOCHI-682 019.

BY/

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16/08/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

M.N. KRISHNAN , J

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Tr. P.(C) NO. 182 OF 2007

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Dated this the 16th day of August, 2007.

ORDER

This transfer petition is filed with a request to transfer O.P. No.995/2007 on the file of Family Court, Ernakulam to the Family Court, Palakkad for disposal. The averments in the petition would go to show that the wife is residing at Palakkad and she has nobody to accompany her to Family Court, Ernakulam and it causes a lot of difficulties for her on account of the factum of nobody to accompany her as well as constrained financial resources. The new amendment to the Hindu Marriage Act actually envisages a situation where the wife is entitled to file a petition for divorce in the place where she resides which indicates the mind of the legislature that sympathy has to be shown to the ladies who are not in a position to afford or who does not have any support. Taking into consideration these aspects, I am inclined to transfer O.P. No. 995/2007 pending before the Family Court, Ernakulam to the Family Court, Palakkad for trial and disposal. Before effecting transfer, the court shall intimate the counsel for the husband about the transfer.

The writ petition is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

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